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08/889,033	07/07/1997	BARTHOLOMEW J. FRAZZITTA	D-1083	2912

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EXAMINER

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ART UNIT	PAPER NUMBER
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2613

28

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

08/889,033

Applicant(s)

FRAZZITTA ET AL.

Examiner

Tung Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

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### DETAILED ACTION

1. In view of the board decision on 07/21/2005, PROSECUTION IS HEREBY REOPENED. The Office Action is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 12, 14-16, 18-19, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over M. C. McClure et al. (US 3,294,342) in view of Granzow et al. (US 4,580,040).

Re claims 1-3, 12, 18-19, and 38-40, McClure teaches a transaction system comprising a service provider (SP) station (fig. 5), wherein the SP station is enabled to be operated by a service provider (20 of fig. 1, note service operator is inside or interior the bank, see also col. 1, lines 40-43) providing a transaction, wherein the SP station includes therein an SP carrier (56 of fig. 5) delivery and receiving device and at least one component of an SP visual display (24 of fig. 5), an SP camera (30 of fig. 5), an SP audio transmitting device (32 of fig. 5), an SP audio receiving device (32 of fig. 5);

at least one customer station (10 of fig. 1), wherein the customer station is enabled to be operated by a customer requesting a transaction, wherein the customer station includes therein a customer carrier delivery and receiving device (56 of fig. 3) and at least one component of a customer visual display (29 of fig. 1), a customer camera (22 of fig. 1), a customer audio transmitting device (31 of fig. 1), a customer audio receiving device (31 of fig. 1);

wherein the SP carrier delivery and receiving device (42 and 56 of fig. 3) is in operative connection with the customer carrier delivery and receiving device, and wherein a pneumatic tube carrier (42 and 56 of fig. 3, Col. 4, lines 47-67) delivery and receiving devices are positioned within the interior area of the building is enabled to be selectively moved with a transaction item (40 of fig. 3) between the customer carrier delivery and receiving device and the SP carrier delivery and receiving device;

wherein the SP station is in operative connection with a communication selector device (60 and 60' of fig. 5), and wherein the video and audio connection between the SP station and one of the customer stations is responsive to an input to the communication selector device (Col.

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5, lines 26-29); a secure room (the teller station (18 of fig. 5) is inside the bank or building as secure room), and wherein the SP station (18 of fig. 5) is housed in the secure room, and wherein the customer station is disposed outside of the secure room (fig. 1);

It is noted that McClure does not particularly teach the SP station and the customer stations are positioned inside of the building or bank and interior wall as claimed.

However, Granzow teaches the SP station (14 of fig. 8) and the customer stations (12 and 12-1 of fig. 8) are positioned inside of the building or bank, and the ATM (12 of fig. 1) is one of the types, which is mounted inside a bank and interior wall (114 and 146 of fig. 1; col. 6, lines 40-45).

Therefore, taking the teachings of McClure and Granzow as a whole, it would have been obvious one of ordinary skill in the art to incorporate the suggestions of Granzow, where the ATM and teller station (12, 12-1, and 14 of fig. 8) are positioned inside the bank, into the transaction system of McClure for a non-driving customer to do banking without waiting line from a drive through ATM.

Doing so would provide the improved productivity and efficiency of personnel, and greater variety of services conveniently archived.

Re claim 14, McClure further discloses a video switching device (60 and 60' of fig. 5) in operative connection with the SP station, and wherein the video switching device is operative to selectively establish video connections between the SP CCTV camera and the customer video display on the customer station.

Re claims 15 and 16, McClure further teaches the system further comprises a video material presenting device (24, 30 of fig. 5), wherein the video material presenting device is operative to

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generate video signals, and wherein the video switching device (60 of fig. 5) is in operative connection with the video presenting device, and wherein the video switching device is operative to selectively connect the video material presenting device to the customer visual display; wherein the video switching device (60 and 60' of fig. 5) is operative to selectively connect the customer visual display to either the video material presenting device or the SP CCTV camera.

4. Claims 4-11, 20-23, 28-37, and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over M. C. McClure et al. (US 3,294,342) in view of Granzow et al. (US 4,580,040) as applied to claims 1 and 38, and further in view of Ramachandran et al. (US 5,483,047).

Re claims 4-9, 11, 20-23, 28-37, 41-44, the combination does not particularly teach the details of the customer station as claimed.

However, Ramachandran teaches wherein the customer station (ATM, 12 of fig. 1) comprises a frame (14 and 16 of fig. 1) and wherein the wall comprises an opening (note a "through-the-wall" configuration; Col. 2, lines 41-43), and wherein the frame (14 of fig. 1) is in supporting connection with the wall and extends in the opening (col. 1, lines 24-31; note automated teller machines are designed to be inside the wall of a bank and have their customer interface extending through the wall of the bank. This enables customers to conduct their transactions without entering the bank either in a walk-up or drive-up fashion. This type of configuration is known as a "through-the-wall" configuration), and wherein **at least of one of** the customer visual display (22 of fig. 1), customer CCTV camera, customer audio transmitting device, customer audio receiving device, or customer carrier device is in supporting connection with the frame (14 and 16 of fig. 1) and a generally horizontally extending shelf (46 of fig. 2).

Furthermore, Ramachandran teaches wherein the customer station further comprises a cover (18 of fig. 1), and wherein the cover is movably mounted on the frame (14 and 16 of fig. 1), and wherein the cover is movable to enable access to the opening, and wherein the cover (18 of fig. 1) is movably mounted in supporting connection with the wall, and wherein in a first position the cover (18 of fig. 1) overlies at least one component among the customer visual display, customer CCTV camera, or customer carrier device, and wherein the cover includes at least one opening (62 of fig. 1), wherein the one component is manually accessible through the at least one opening whereby it is enabled to be operated by a customer in the first position of the cover, and wherein in a second position the cover is disposed from the one component and the component is rendered accessible for servicing (20, 22, 24, 28, 30 of fig. 1).

Additionally, Ramachandran teaches the frame comprises a doorframe (40 of fig. 2); at least one hinge (48, 58 of figs. 3 and 4) operatively connected to the doorframe (40 of fig. 4), and wherein the cover (18 of fig. 1) is movably mounted relative to the frame through the hinge (note a pair of lifting arms (58 of fig. 4), functioning as a hinge, which are pivotally mounted on pins in the mounting areas (48 of fig. 4) relative to the frame (14 of fig. 1)); wherein the frame (14 and 16 of fig. 1) bounds the opening, and further comprising a sub frame in supporting connection with the frame, and wherein the sub frame extends in the opening (20, 22, 24, 28, 30 of fig. 1), and wherein at least one of the customer visual display, the customer CCTV camera, or the customer carrier device is in supporting connection with the sub frame (20, 22, 24, 28, 30 of fig. 1); wherein the cover includes at least one storage location (28 of fig. 1, note storing cash money; 30 of fig. 1, note storing deposits), wherein articles (cash money, deposits) are enabled to be stored in the storage location; wherein in the first position the cover (18 of fig. 2) is in

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abutting relation (open position) with the wall and generally extends in surrounding relation of the frame (14 and 18 of fig. 1); releasable locking the cover (18 of fig. 2) in the first position by operatively engaging the cover and the frame in an area disposed from the hinge connection (58 of fig. 2); wherein when the cover (18 of fig. 1) is moved to the first position the cover extends in generally abutting relation with the wall and in surrounding relation of the frame (14 of fig. 1).

Therefore, taking the teachings of McClure, Granzow, and Ramachandran as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Ramachandran into the combined transaction system of McClure and Granzow to be readily adapted to front or rear load configuration as required for a lobby or through-the-wall installation.

Doing so would provide an automated teller machine that is readily serviceable and required less space for installation and to minimize the risk of unauthorized persons gaining access the ATM.

5. Claims 13, 17, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over M. C. McClure et al. (US 3,294,342) in view of Granzow et al. (US 4,580,040) as applied to claim 38, and further in view of Gallacher et al. (US 5,661,283).

Re claims 13, 17, and 24-27, the combination of McClure and Granzow does not particularly teach the limitations as claimed.

However, Gallacher teaches the video material presenting device comprises a computer (ACD and AGENT of fig. 10), and wherein the computer is in operative connection with a data store (ACD of fig. 10, database), and wherein the data store includes data representative of video



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material, and wherein the computer is in operative connection with a data transmission line (ISDN CALL (2CHANNELS) of fig. 10), and wherein the video material is changeable through the data transmission line (ISDN, POTS of fig. 10) as claimed in claim 17;

wherein each customer station includes a device actuatable (ATM is actuated when the card has been read or a presence of customer has been detected) by a customer at a customer station (POINTING DEVICE, READER, CAM, MIKE, VISTIUM PERSONAL VIDEO CONFERENCING SOFTWARE of fig. 2; see also fig. 4), and wherein the system further includes a queuing device (C of fig. 11, Note receiving the requested information) at the SP station (fig. 11, AGENT 2), and wherein the queuing device is in operative connection with each customer actuatable device (RECEIVE REQUEST FROM CUSTOMER FOR VIDEO CONFERENCE of fig. 9), and wherein the queuing device is operative to generate an order wherein the order includes data representative of a time sequence (col. 3, lines 52-65) in which the actuatable devices at the customer stations were actuated (col. 8, lines 43-65), and wherein the queuing device is operative to indicate data responsive to the order (Note the request can be made, and detected, in numerous ways. For example, an electrical switch, labeled "PRESS FOR ASSISTANCE" can be provided at the ATM. The customer actuates the switch when assistance is requested, thereby producing the SIGNAL FROM CUSTOMER in FIG. 4. Alternately, the cradle which holds the telephone handset, discussed above, can be equipped with a detector, such as a mechanical switch or a proximity detector, which detects withdrawal of the handset. This detector issues the SIGNAL FROM CUSTOMER shown in FIG. 4) as claimed in claim 24;

wherein the SP station further includes a communication selector unit (fig. 11), and wherein the system is operative responsive to inputs to the selector unit to selectively place the

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SP station in video and audio communication with one of the customer stations (audio and video conferencing; fig. 9; DELIVERLY MESSAGE WHICH, IDENTIFIES ATAM, REQUEST VIDEO CONFERENCE; Fig. 10), and wherein the selector unit is in operative connection with the queuing device, and wherein the queuing device (39 of fig. 4) is operative to remove from the order the data representative of the one customer station responsive to the selector unit operating to place the one customer station and the SP station in communication as claimed in claim 25;

wherein the customer station (ATM) actuatable device comprises a customer presence sensor (col. 4, line 61-col.5, line4), and wherein the queuing device is operative to defer placing data representative of the one customer station in the order while the SP station and the one customer station are in video and audio communication (39 of fig. 4) as claimed in claims 13 and 26;

wherein the sensor (col. 5, lines 1-4) is operative to sense a person positioned adjacent the customer station, and wherein the SP station includes an indicator in operative connection with the sensor wherein an indication is given at the SP station of the presence of the person adjacent the customer station (col. 8, lines 43-60); wherein the queuing device (col. 5, lines 1-4, note It is possible that the customer may leave the ATM abruptly. Block 39 monitors such activity, and automatically terminates the videoconference when it is detected. The detection can be undertaken in several ways. One is to detect whether the ATM has become IDLE, because of lack of customer input for a predetermined period, as indicated. In ATMs which are equipped with proximity sensors (which detect the approach of customers), the S.sup.4 software detects the approach, and issues a signal in response) is operative to place data representative of the one customer station in the order again after the customer presence sensor ceases to sense the

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customer adjacent the one customer station subsequent to the one customer station and SP station being in communication, and thereafter again senses a customer as claimed in claim 27.

Therefore, taking the teachings of McClure, Granzow, and Gallacher as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Gallacher into the combined transaction system of McClure and Granzow for patching the customer to a station teller (the field of expertise) based on the request of customers.

Doing so would provide the transaction system to select a consultant who is expert in the type of transaction, which the customer was undertaking when the customer requested assistance.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Grossi et al. (US 5,604,341) discloses ATM as video conferencing station.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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